

# United States District Court

## District of Massachusetts

UNITED STATES OF AMERICA

V.

NELSIN HERNANDEZ

**JUDGMENT IN A CRIMINAL CASE**(For **Revocation** of Probation or Supervised Release)

(For Offenses Committed On or After November 1, 1987)

Case Number: **1: 20-10134-5-DJC**

Thomas Kerner, Esq.

Defendant's Attorney

**THE DEFENDANT:**

- ☒ admitted guilt to violation of condition(s) I - VI of the term of supervision.
- ☐ was found in violation of condition(s) \_\_\_\_\_ after denial of guilt.

Accordingly, the court has adjudicated that the defendant is guilty of the following violation(s):

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
I	You must not leave the district where you are authorized to reside without permission	01/24/24
II	You must live at a place approved by the probation officer	02/14/24
III	You must not interact with someone who is engaged in criminal activity	01/24/24
IV	You must notify probation within 72 hours of any arrest or questioning by law enforcement	01/24/24
V	You must report to the probation officer as instructed	02/14/24
VI	You must not own, possess, or have access to firearm or ammunition	01/24/24

☐ See continuation page

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has not violated condition(s) \_\_\_\_\_ and is discharged as to such violation(s) condition.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district with 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

08/27/24

Defendant's Soc. Sec. No.: 000-0-9783

Defendant's Date of Birth: 1990

Defendant's USM No.: 02632-509

Defendant's Residence Address:

Defendant's Mailing Address:

Date of Imposition of Judgment



The Honorable Denise J. Casper

Signature of Judicial Officer

Judge, U.S. District Court

Name &amp; Title of Judicial Officer

08/27/2024

Date

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DEFENDANT: NELSON HERNANDEZ

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of \_\_\_\_\_ time served

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district.

☐ at \_\_\_\_\_ on \_\_\_\_\_

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before \_\_\_\_\_ on \_\_\_\_\_

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Officer.

**RETURN**

I have executed this judgment as follows:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
 UNITED STATES MARSHAL

By \_\_\_\_\_  
 Deputy U.S. Marshal

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 2 year(s)

☒ See continuation page

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

*For offenses committed on or after September 13, 1994:*

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

☐

The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check if applicable.)

☒

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated above).

**STANDARD CONDITIONS OF SUPERVISION**

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Continuation Page - Supervised Release/Probation

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DEFENDANT: NELSON HERNANDEZ

**Continuation of Conditions of ☒ Supervised Release ☐ Probation**

1. You must participate in a substance use treatment program and follow the rules of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.).
2. You must submit to substance use testing, not to exceed 104 drug tests per year, to determine if you have used a prohibited substance. You must not attempt to obstruct or tamper with the testing methods.
3. You are prohibited from drinking alcohol to the point of intoxication, as defined by Massachusetts State Law as a .10 blood alcohol level.
4. You must participate in a vocational services training program, as directed by the Probation Office. Such program may include job readiness training and/or skills development training.
5. You will be monitored by Location monitoring, technology at the discretion of the probation officer, for a period of 3 months. You must follow the rules and regulations of the location monitoring program. The form of location monitoring technology will be used to monitor the following restriction on your movement in the community: You are restricted to your residence every day from 7pm to 6am.